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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,387	07/31/2001	Kuo-Jeng Wang	JCLA7374	4402
7590	02/08/2005		EXAMINER CARTER, TIA A	
J.C. Patents, Inc. 4 VENURE SUITE 250 Irvine, CA 92618			ART UNIT 2626	PAPER NUMBER

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/920,387

Applicant(s)

WANG, KUO-JENG

Examiner

Tia A Carter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The following limitations in claim 1 are vague and indefinite as cited below:

a decision device coupled to an input device for receiving input image data, computing and recording an accessed quantity of input image data within the decision device and finally outputting decision data and output image data;

a driving device coupled to the decision device for receiving the decision data;
and

an input/output interface coupled to the decision device for receiving the output image data.

On page 4 of the specification, the Applicant discloses the components of the control device (preamble) and fails to cite the operating features of the components as cited in claim 1.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

3. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Nagano et al. (US. 6160636).

Regarding claim 1, Nagano et al. disclose a control device for controlling a scanning speed of a scanner, comprising:

a decision device (CPU 11) coupled to an input device for receiving input image data, computing and recording an accessed quantity of input image data within the decision device and finally outputting decision data and output image data (fig. 2, col. 4, lines 55-65);

a driving device (driving portion 26) coupled to the decision device for receiving the decision data (fig. 2, col. 4, lines 63-65); and

an input/output interface (modem 4) coupled to the decision device for receiving the output image data (fig. 2, col. 4, lines 48-53).

Regarding claim 2, Nagano et al. disclose the control device in claim 1, wherein the decision device further includes:

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an image buffer (image memory 14) coupled to an output terminal of the input device for receiving the input image data, temporarily storing the input image data and outputting output image data (fig. 2, col. 4, lines 24-28 and lines 57-65);

an up-down counter (cpu 11) coupled to an input terminal of the image buffer and an output terminal of the image buffer for counting and recording data access volume inside the image buffer and outputting count data (fig. 2, col. 4, lines 61-65); and

a comparator (CPU 11) coupled to the up-down counter for receiving the count data, deciding whether to increase or decrease the scanning speed according to the count data and outputting the decision data (fig. 3, col. 5, lines 28-45).

Regarding claim 3, Nagano et al. disclose the control device of claim 2, wherein the up-down counter enables an up- counting function to increase a value inside the counter by one when the up-down counter detects transfer of input image data into the image buffer, and the up-down counter enables a down-counting function to decrease the value inside the counter by one when the counter detects transfer of output image data to the input/output interface (fig. 3-4, col. 5, lines 28-54 and col. 6, lines 15-33).

Regarding claim 4, Nagano et al. disclose the control device of claim 2, wherein the up-down counter enables a down- counting function to decrease a value inside the counter by one when the up-down counter detects a transfer of

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input image data into the image buffer, and the up-down counter enables a up-counting function to increase the value inside the counter by one when the counter detects a transfer of output image data to the input/output interface (fig. 4, col. 6, lines 15-34).

Regarding claim 5, Nagano et al. disclose the control device of claim 1, wherein the input device further includes:

- an optical sensor (CCD 23) for receiving an external signal and outputting an analogue signal (fig. 2, col. 4, lines 29-39);

- an analogue/digital converter (converter 24) coupled to the optical sensor for receiving the analogue signal and converting the analogue signal into a digital signal, and then outputting the digital signal (fig. 2, col. 4, lines 29-39*); and

- an image processor (cpu 11) coupled to the analogue/digital converter and the decision device for receiving the digital signal and converting the digital signal into the input image data, and then outputting the input image data to the decision device (fig. 2, col. 4, lines 54-65).

Regarding claim 6, Nagano et al. disclose the control device of claim 1, wherein the driving device further includes:

- an electric motor; and

- a motor controller coupled to the electric motor and the decision device for receiving the decision data and controlling the running speed of the electric motor according to the decision data.

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Regarding claim 7, Nagano et al. disclose a method for controlling a scanning speed of a scanner, comprising:

providing count data (fig. 2, col. 4, lines 61-65);

providing a largest data access volume (fig. 3-4, col. 5, lines 46-67 and col. 6, lines 1-4); and

determining the scanning speed of a scanner according to a ratio between the count data and the largest data access volume (fig. 3-4, col. 6, lines 15-33).

Regarding claim 8, Nagano et al. disclose the control method of claim 7, wherein the scanner scans at full speed when the count data is greater than $\frac{3}{4}$ of the largest data access volume (fig. 4, col. 6, lines 15-33 and lines 54-67).

Regarding claim 9, Nagano et al. disclose the control method of claim 7, wherein the scanner scans at $\frac{3}{4}$ of full speed when the count data is smaller than $\frac{3}{4}$ of the largest data access volume but greater than $\frac{1}{2}$ of the largest data access volume (fig. 4, col. 6, lines 15-33 and lines 54-67).

Regarding claim 10, Nagano et al. disclose the control method of claim 7, wherein the scanner scans at $\frac{3}{4}$ of full speed when the count data is smaller than $\frac{1}{2}$ of the largest data access volume but greater than $\frac{1}{4}$ of the largest data access volume (fig. 4, col. 6, lines 15-33 and lines 54-67).

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Regarding claim 11, Nagano et al. disclose the control method of claim 7, wherein the scanner scans at 3/4 of full speed when the count data is smaller than 1/2 of the largest data access volume (fig. 4, col. 6, lines 15-33 and lines 54-67).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lai et al. (US. 6115149), Yoshida et al. (US. 5018716) and Rindsig et al. (US. 6262816) are cited to show related art with respect to scanning speed control.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia A Carter whose telephone number is 703 - 306-5433. The examiner can normally be reached on M-F (7:00-3:30).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tia A Carter
Examiner
Art Unit 2626


TAC
1/21/2005


KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER